

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,  
Plaintiff,  
v.  
SALE SLASH, LLC, et al.,  
Defendants.

CV 15-3107 PA (AJWx)

PRELIMINARY INJUNCTION AS TO  
DEFENDANTS APEX CUSTOMER CARE  
LLC, PENWAY LLC, RENVEE LLC,  
OPTIM PRODUCTS LLC, AND EDGAR  
BABAYAN

Plaintiff, Federal Trade Commission (“FTC”) has filed its Notice of Application and Application for Preliminary Injunction as to Defendants Apex Customer Care LLC, Penway LLC, Renvee LLC, Optim Products LLC, and Edgar Babayan, (the “Application”), and a Memorandum of Points and Authorities and evidence in support of the Application. This Court, having considered the Preliminary Injunction as to Defendants Apex Customer Care LLC, Penway LLC, Renvee LLC, Optim Products LLC, and Edgar Babayan (the “Order”), the Application and other filings in support of the Order, and the other filings in this case, and for other cause appearing, hereby orders that:

**FINDINGS OF FACT**

1. This Court has jurisdiction over the subject matter of this case and over New Defendants.

2. Venue in this district, process, and service of process are proper.

3. There is good cause to believe that defendants Apex Customer Care LLC, My LLC, Renvee LLC, Optim Products LLC, and Edgar Babayan (collectively “defendants”), have engaged and are likely to continue to engage in acts or practices that violate Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) & 52, and Section 5(a) of the CAN-SPAM Act, 15 U.S.C. § 7704(a), and that the FTC is therefore likely to prevail on the merits of this action.

4. There is good cause to believe that consumers will suffer immediate and continuing harm from Defendants' ongoing violations of Section 5(a) and 12 of the FTC Act and Section 5(a) of the CAN-SPAM Act unless Defendants are restrained and enjoined by this Court.

5. There is good cause to believe that immediate and irreparable damage to the Court's ability to grant effective final relief for consumers in the form of monetary restitution and/or disgorgement of ill-gotten gains will occur from the transfer, dissipation, or concealment by Defendants of their assets or business records unless Defendants are immediately restrained and enjoined by order of this Court. Therefore, there is good cause for an asset freeze.

6. Weighing the equities and considering the FTC's likelihood of ultimate success, this Order is in the public interest.

7. No security is required of any agency of the United States for issuance of a preliminary injunction, Fed. R. Civ. P. 65(c).

## DEFINITIONS

For the purposes of this Order, the following definitions shall apply:

1.     **“Asset” or “Assets”** means any legal or equitable interest in, right to, or claim to, any real or personal property, including, but not limited to, “goods,” “instruments,” “equipment,” “fixtures,” “general intangibles,” “inventory,” “checks,” or “notes” (as these terms are defined in the Uniform Commercial Code), lines of credit, chattels, leaseholds,

1 contracts, mail or other deliveries, shares of stock, lists of consumer names, accounts,  
2 credits, premises, receivables, funds, and all cash, wherever located.

3       2.     **“Assisting others”** includes, but is not limited to: (a) performing customer  
4 service functions, including, but not limited to, receiving or responding to consumer  
5 complaints; (b) formulating or providing, or arranging for the formulation or provision of,  
6 any sales script or other marketing material; (c) providing names of, or assisting in the  
7 generation of, potential customers; (d) performing or providing marketing or billing services  
8 of any kind; (e) acting as an officer or director of a business entity; (f) hosting websites; or  
9 (g) processing payments.

10       3.     **“Clear and conspicuous”** and **“clearly and conspicuously”** means that a  
11 required disclosure is difficult to miss (i.e., easily noticeable) and easily understandable by  
12 ordinary consumers, including in all of the following ways:

13           a.     In any communication that is solely visual or solely audible, the  
14 disclosure must be made through the same means through which the communication is  
15 presented. In any communication made through both visual and audible means, such as a  
16 television advertisement, the disclosure must be presented simultaneously in both the visual  
17 and audible portions of the communication, even if the representation requiring the  
18 disclosure is made in only one means.

19           b.     A visual disclosure, by its size, contrast, location, the length of time it  
20 appears, and other characteristics, must stand out from any accompanying text or other  
21 visual elements so that it is easily noticed, read, and understood.

22           c.     An audible disclosure, including by telephone or streaming video, must  
23 be delivered in a volume, speed, and cadence sufficient for ordinary consumers to easily  
24 hear and understand it.

25           d.     In any communication using an interactive electronic medium, such as  
26 the Internet or software, the disclosure must be unavoidable.

1                   e.     The disclosure must use diction and syntax understandable to ordinary  
2 consumers and must appear in each language in which the representation that requires the  
3 disclosure appears.

4                   f.     The disclosure must comply with these requirements in each medium  
5 through which it is received, including all electronic devices and face-to-face  
6 communications.

7                   g.     The disclosure must not be contradicted or mitigated by, or inconsistent  
8 with, anything else in the communication.

9                   4.     **“Commercial electronic mail message”** (or **“commercial email”**) means any  
10 electronic mail message the primary purpose of which is the commercial advertisement or  
11 promotion of a commercial product or service (including the content on an Internet website  
12 operated for commercial purposes). 15 U.S.C. § 7702(2).

13                   5.     **“Competent and reliable scientific evidence”** means tests, analyses, research,  
14 or studies that have been conducted and evaluated in an objective manner by qualified  
15 persons and are generally accepted in the profession to yield accurate and reliable results.

16                   6.     **“Corporate Defendants”** means Sale Slash, LLC, a California limited liability  
17 company, Purists Choice LLC, a California limited liability company, Apex Customer Care  
18 LLC, a California limited liability company, Penway LLC, a California limited liability  
19 company, Renvee LLC, a California limited liability company, and Optim Products LLC, a  
20 California limited liability company, and their successors and assigns, as well as any  
21 subsidiaries, and any fictitious business entities or business names created or used by these  
22 entities.

23                   7.     **“Covered Product”** means any dietary supplement, food, or drug, including,  
24 but not limited to, Premium Green Coffee, Premium Raspberry Ketone, Pure Caralluma  
25 Fimbriata Extract, Pure Forskolin Extract, Pure Garcinia Cambogia, Pure Garcinia  
26 Cambogia HCA, Pure Saffron, and Pure White Kidney Bean Extract.

27                   8.     **“Defendant”** or **“Defendants”** means all of the Individual Defendants and the  
28 Corporate Defendants, individually, collectively, or in any combination.

1       9.     **“Document” or “Documents”** means any materials listed in Federal Rule of  
2 Civil Procedure 34(a), and includes writings, drawings, graphs, charts, photographs, audio  
3 and video recordings, computer records, and other data compilations from which  
4 information can be obtained and translated, if necessary, through detection devices into  
5 reasonably usable form. A draft or non-identical copy is a separate document within the  
6 meaning of the term.

7       10.    **“Financial Institution”** means any bank, savings and loan institution, credit  
8 union, or any financial depository of any kind, including, but not limited to, any brokerage  
9 house, trustee, broker-dealer, escrow agent, title company, commodity trading company, or  
10 precious metal dealer.

11       11.    **“Header Information”** means the source, destination, and routing information  
12 attached to an electronic mail message, including the originating domain name and  
13 originating electronic mail address, and any other information that appears in the line  
14 identifying, or purporting to identify, a person initiating the message. 15 U.S.C. § 7702(8).

15       12.    **“Individual Defendants”** means Edgar Babayan, Artur Babayan, and Vahe  
16 Haroutounian, or by whatever other name each may be known.

17       13.    **“Initiate,”** when used with respect to a commercial electronic mail message,  
18 means to originate or transmit such message or to procure the origination or transmission of  
19 such message. 15 U.S.C. § 7702(9).

20       14.    **“New Corporate Defendants”** means Apex Customer Care LLC, a California  
21 limited liability company, Penway LLC, a California limited liability company, Renvee  
22 LLC, a California limited liability company, and Optim Products LLC, a California limited  
23 liability company, and their successors and assigns, as well as any subsidiaries, and any  
24 fictitious business entities or business names created or used by these entities.

25       15.    **“New Individual Defendant”** means Edgar Babayan, or by whatever other  
26 name he may be known.

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1       16.    **“Person”** means a natural person, an organization or other legal entity,  
2 including a corporation, partnership, sole proprietorship, limited liability company,  
3 association, cooperative, or any other group or combination acting as an entity.

4       17.    **“Plaintiff,” “Commission,” or “FTC”** means the Federal Trade Commission.

5       18.    **“Procure,”** when used with respect to the initiation of a commercial electronic  
6 mail message, means intentionally to pay or provide other consideration to, or induce,  
7 another person to initiate such a message on one’s behalf. 15 U.S.C. § 7702(12).

8       19.    **“Sender”** means a person who initiates a commercial electronic mail message  
9 and whose product, service, or Internet website is advertised or promoted by the message.  
10 15 U.S.C. § 7702(16).

11       20.    **“TRO”** means the Ex Parte Temporary Restraining Order with an Asset  
12 Freeze, Appointment of a Receiver, and Other Equitable Relief, and Order to Show Cause  
13 Why a Preliminary Injunction Should Not Issue entered by this Court on April 27, 2015.

14 **I. PROHIBITED WEIGHT-LOSS CLAIMS**

15       IT IS ORDERED that Defendants and their officers, agents, servants, employees, and  
16 attorneys, and all other persons in active concert or participation with any of them, who  
17 receive actual notice of this Order, whether acting directly or indirectly, in connection with  
18 the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of  
19 any Covered Product, are hereby restrained and enjoined from making, or assisting others in  
20 making, directly or by implication, including through the use of a product name,  
21 endorsement, depiction, or illustration, any representation, that:

22       A.    Such Covered Product causes, or assists in causing, weight loss, or any  
23 specific amount of weight loss;

24       B.    Such Covered Product causes, or assists in causing, rapid weight loss; or

25       C.    Consumers who use the Covered Product can generally expect to achieve the  
26 weight loss results represented by an endorser of such Covered Product;  
27 unless the representation is non-misleading and, at the time of making such representation,  
28 Defendants possess and rely upon competent and reliable scientific evidence, as that term is

1 defined above, that is sufficient in quality and quantity based on standards generally  
2 accepted in the scientific fields, when considered in light of the entire body of relevant and  
3 reliable scientific evidence, to substantiate the representation is true.

4 **II. PROHIBITED MISREPRESENTATIONS**

5 IT IS FURTHER ORDERED that Defendants and their officers, agents, servants,  
6 employees, and attorneys, and all other persons in active concert or participation with any of  
7 them who receive actual notice of this Order by personal service or otherwise, whether  
8 acting directly or through any corporation, subsidiary, division, or other device, in  
9 connection with the advertising, marketing, promotion, offering for sale, or sale of any  
10 Covered Product, are hereby restrained and enjoined from misrepresenting, or assisting  
11 others in misrepresenting, directly or indirectly, expressly or by implication, any material  
12 fact, including, but not limited to, that any Covered Product is or has been used, endorsed, or  
13 approved by specifically identified celebrities such as Oprah Winfrey and The Doctors  
14 television show.

15 **III. PROHIBITIONS AGAINST COMMERCIAL EMAIL**

16 **MISREPRESENTATIONS**

17 IT IS FURTHER ORDERED that Defendants and their officers, agents, servants,  
18 employees, and attorneys, and all other persons in active concert or participation with any of  
19 them who receive actual notice of this Order by personal service or otherwise, whether  
20 acting directly or through any corporation, subsidiary, division, or other device, in  
21 connection with the advertising, marketing, promotion, offering for sale, or sale of any  
22 product, service, or program, are hereby restrained and enjoined from initiating the  
23 transmission of a commercial email that:

24 A. Contains, or is accompanied by, materially false or materially misleading  
25 header information, including but not limited to:

26 1. an originating electronic mail address, domain name, or Internet  
27 Protocol address when the access to such originating electronic email address, domain name  
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1 or Internet Protocol address was obtained by means of false or fraudulent pretenses or  
2 representations; or

3           2.       a "from" line (the line identifying or purporting to identify the person  
4 initiating the messages) that does not accurately identify any person who initiated the  
5 message; or

6           B.       Contains a subject heading likely to mislead recipients, acting reasonably  
7 under the circumstances, about material facts regarding the contents or subject matter of the  
8 message.

9 **IV. PROHIBITIONS AGAINST OPT-OUT AND POSTAL ADDRESS**

10 **VIOLATIONS**

11           IT IS FURTHER ORDERED that Defendants and their officers, agents, servants,  
12 employees, and attorneys, and all other persons in active concert or participation with any of  
13 them who receive actual notice of this Order by personal service or otherwise, whether  
14 acting directly or through any corporation, subsidiary, division, or other device, in  
15 connection with the advertising, marketing, promotion, offering for sale, or sale of any  
16 product, service, or program, are hereby restrained and enjoined from initiating the  
17 transmission of a commercial email that:

18           A.       Does not include a clear and conspicuous notice of the recipient's opportunity  
19 to decline to receive further commercial electronic mail messages from the sender at the  
20 recipient's electronic mail address and describes the means by which the recipient can  
21 decline to receive future commercial email messages from the sender;

22           B.       Does not include a functioning return electronic mail address or other  
23 Internet-based mechanism, clearly and conspicuously displayed, that a recipient can use to  
24 submit a reply electronic mail message or other form of Internet-based communication  
25 requesting not to receive future commercial electronic mail messages from the sender at the  
26 electronic mail address where the message was received, and that remains capable of  
27 receiving such messages or communications for no less than 30 days after the transmission  
28 of the original message;

1       C.     Does not include the sender's valid physical postal address; or  
2       D.     Is sent to a recipient's email address, more than 10 days after the sender  
3 receives a request from that email recipient not to receive future commercial electronic mail  
4 messages from the sender at the recipient's electronic mail address.

5       **V.     ASSET FREEZE**

6           IT IS FURTHER ORDERED that Defendants and their officers, agents, servants,  
7 employees, attorneys, and all other persons in active concert or participation with any of  
8 them, who receive actual notice of this Order by personal service or otherwise, whether  
9 acting directly or through any trust, corporation, subsidiary, division, or other device, except  
10 as provided herein, as stipulated by the parties, or as directed by further order of the Court,  
11 are hereby restrained and enjoined from:

12          A.     Transferring, liquidating, converting, encumbering, pledging, loaning, selling,  
13 concealing, dissipating, disbursing, assigning, spending, withdrawing, granting a lien or  
14 security interest or other interest in, or otherwise disposing of any funds, real or personal  
15 property, accounts, contracts, shares of stock, lists of consumer names, or other assets, or  
16 any interest therein, wherever located, including outside the territorial United States, that  
17 are:

18           1.     Owned, controlled, or held by, in whole or in part, for the benefit of, or  
19 subject to access by, or belonging to, any Defendant;

20           2.     In the actual or constructive possession of any Defendant; or

21           3.     In the actual or constructive possession of, or owned, controlled, or  
22 held by, or subject to access by, or belonging to, any other corporation, partnership, trust, or  
23 any other entity directly or indirectly owned, managed, or controlled by, or under common  
24 control with, any Defendant, including, but not limited to, any assets held by or for any  
25 Defendant in any account at any bank or savings and loan institution, or with any credit card  
26 processing agent, automated clearing house processor, network transaction processor, bank  
27 debit processing agent, customer service agent, commercial mail receiving agency, or mail  
28 holding or forwarding company, or any credit union, retirement fund custodian, money

1 market or mutual fund, storage company, trustee, or with any broker-dealer, escrow agent,  
2 title company, commodity trading company, precious metal dealer, or other financial  
3 institution or depository of any kind, either within or outside the territorial United States;

4       B.     Opening or causing to be opened any safe deposit boxes, commercial mail  
5 boxes, or storage facilities titled in the name of any Defendant, or subject to access by any  
6 Defendant or under any Defendant's control, without providing the Commission prior notice  
7 and an opportunity to inspect the contents in order to determine that they contain no assets  
8 covered by this Section;

9       C.     Cashing any checks or depositing or processing any payments from customers  
10 or clients of Defendants;

11       D.     Incurring charges or cash advances on any credit card issued in the name,  
12 singly or jointly, of any Defendant; or

13       E.     Incurring liens or encumbrances on real property, personal property, or other  
14 assets in the name, singly or jointly, of any Defendant or of any corporation, partnership, or  
15 other entity directly or indirectly owned, managed, or controlled by any Defendant.

16       *Provided further*, that the assets affected by this Section shall include: (1) all assets of  
17 Defendants as of the time this Order is entered; and (2) for assets obtained after the time this  
18 Order is entered, those assets of Defendants that are derived, directly or indirectly, from the  
19 Defendants' activities related to the marketing or sale of any Covered Product, including the  
20 activities of any Defendant.

21       This Section does not prohibit the repatriation of foreign assets, as specifically  
22 required in Section X (Repatriation of Assets and Documents) of this Order.

23 **VI. DUTIES OF THIRD PARTIES HOLDING DEFENDANTS' ASSETS**

24       IT IS FURTHER ORDERED that any financial institution, business entity, or person  
25 maintaining or having custody or control of any account or other asset of any Defendant, or  
26 any corporation, partnership, or other entity directly or indirectly owned, managed, or  
27 controlled by, or under common control with any Defendant, which is served with a copy of  
28 this Order, or otherwise has actual or constructive knowledge of this Order, shall:

1           A.     Hold and retain within its control and prohibit the withdrawal, removal,  
2 assignment, transfer, pledge, hypothecation, encumbrance, disbursement, dissipation,  
3 conversion, sale, liquidation, or other disposal of any of the assets, funds, documents, or  
4 other property held by, or under its control:

5               1.     On behalf of, or for the benefit of, any Defendant or any other Person  
6 subject to Section V above;

7               2.     In any account maintained in the name of, or for the benefit of, or  
8 subject to withdrawal by, any Defendant or other Person subject to Section V above; and

9               3.     That are subject to access or use by, or under the signatory power of,  
10 any Defendant or other Person subject to Section V above;

11           B.     Deny Defendants access to any safe deposit boxes or storage facilities that are  
12 either:

13               1.     Titled in the name, individually or jointly, of any Defendant, or other  
14 Person subject to Section V above; or

15               2.     Subject to access by any Defendant or other Person subject to Section V  
16 above;

17           C.     Within five (5) days of the date of service of this Order, provide Plaintiff a  
18 sworn statement setting forth:

19               1.     The identification number of each account or asset titled in the name,  
20 individually or jointly, of any Defendant, or held on behalf of, or for the benefit of, any  
21 Defendant or other Person subject to Section V above, including all trust accounts managed  
22 on behalf of any Defendant or subject to any Defendant's control;

23               2.     The balance of each such account, or a description of the nature and  
24 value of such asset;

25               3.     The identification and location of any safe deposit box, commercial  
26 mail box, or storage facility that is either titled in the name, individually or jointly, of any  
27 Defendant, or is otherwise subject to access or control by any Defendant or other Person  
28 subject to Section V above, whether in whole or in part; and

1           4. If the account, safe deposit box, storage facility, or other asset has been  
2 closed or removed, the date closed or removed and the balance on said date;

3           D. Within five (5) days of a request from any Plaintiff, provide Plaintiff copies of  
4 all records or other documentation pertaining to each such account or asset, including, but  
5 not limited to, originals or copies of account applications, account statements, corporate  
6 resolutions, signature cards, checks, drafts, deposit tickets, transfers to and from the  
7 accounts, all other debit and credit instruments or slips, currency transaction reports, 1099  
8 forms, and safe deposit box logs; and

9           E. This Section VI shall apply to existing accounts and assets, assets deposited or  
10 accounts opened after the effective date of this Order, and any accounts or assets maintained,  
11 held or controlled three years prior to the effective date of this Order. This Section VI shall  
12 not prohibit transfers in accordance with any other provision of this Order, any further order  
13 of the Court, or by written agreement of the parties.

14 **VII. MAINTAIN RECORDS AND REPORT NEW BUSINESS ACTIVITY**

15           IT IS FURTHER ORDERED that Defendants and their officers, agents, servants,  
16 employees, attorneys, and all other persons in active concert or participation with any of  
17 them, who receive actual notice of this Order by personal service or otherwise, whether  
18 acting directly or through any trust, corporation, subsidiary, division, or other device, are  
19 hereby restrained and enjoined from:

20           A. Failing to create and maintain books, records, accounts, bank statements,  
21 current accountants' reports, general ledgers, general journals, cash receipt ledgers, cash  
22 disbursement ledgers and source documents, documents indicating title to real or personal  
23 property, and any other data which, in reasonable detail, accurately, fairly and completely  
24 reflect the incomes, disbursements, transactions, dispositions, and uses of the Defendants'  
25 assets;

26           B. Destroying, erasing, mutilating, concealing, altering, transferring, or otherwise  
27 disposing of, in any manner, directly or indirectly, any documents, including  
28 electronically-stored materials, that relate in any way to the business practices or business or

1 personal finances of Defendants; to the business practices or finances of entities directly or  
2 indirectly under the control of Defendants; or to the business practices or finances of entities  
3 directly or indirectly under common control with any other Defendant; and

4 C. Creating, operating, or exercising any control over any new business entity,  
5 whether newly formed or previously inactive, including any partnership, limited partnership,  
6 joint venture, sole proprietorship, or corporation, without first providing Plaintiff with a  
7 written statement disclosing: (1) the name of the business entity; (2) the address, telephone  
8 number, email address, and website address of the business entity; (3) the names of the  
9 business entity's officers, directors, principals, managers, and employees; and (4) a detailed  
10 description of the business entity's intended activities.

11 **VIII. PROHIBITION ON DISCLOSING CUSTOMER INFORMATION**

12 IT IS FURTHER ORDERED that Defendants and their officers, agents, servants,  
13 employees, attorneys, and all other persons in active concert or participation with any of  
14 them, who receive actual notice of this Order by personal service or otherwise, whether  
15 acting directly or through any trust, corporation, subsidiary, division, or other device, are  
16 hereby restrained and enjoined from:

17 A. Selling, renting, leasing, transferring, or otherwise disclosing the name,  
18 address, birth date, telephone number, email address, Social Security number, Social  
19 Insurance number, credit card number, bank account number, or other financial or  
20 identifying personal information of any person from whom or about whom any Defendant  
21 obtained such information in connection with activities alleged in Plaintiff's Complaint; and

22 B. Benefiting from or using the name, address, birth date, telephone number,  
23 email address, Social Security number, Social Insurance number, credit card number, bank  
24 account number, or other financial or identifying personal information of any person from  
25 whom or about whom any Defendant obtained such information in connection with activities  
26 alleged in Plaintiff's Complaint.

1        *Provided, however, that Defendants may disclose such financial or identifying*  
2 personal information to a law enforcement agency or as required by any law, regulation, or  
3 court order.

4 **IX. FINANCIAL STATEMENTS**

5 IT IS FURTHER ORDERED that, unless previously submitted in full compliance  
6 with the TRO or May 12, 2015 Preliminary Injunction, each Defendant shall serve upon  
7 counsel for Plaintiff, no later than five (5) business days after entry of this Order, a  
8 completed financial statement accurate as of the date of entry of this Order, on the forms  
9 provided by Plaintiff for Individual Defendants and for Corporate Defendants, as the case  
10 may be, signed under penalty of perjury.

11        The financial statements shall include assets held outside the territory of the United  
12 States, shall be accurate as of the date of the entry of this Order, and shall be verified under  
13 oath. Defendants shall attach to these completed financial statements copies of all local,  
14 state, provincial, and federal income and property tax returns, with attachments and  
15 schedules, as called for by the instructions to the financial statements.

16 **X. REPATRIATION OF ASSETS AND DOCUMENTS**

17 IT IS FURTHER ORDERED that Defendants shall:

18        A. Unless previously completed in full compliance with the TRO or May 12,  
19 2015 Preliminary Injunction, within three (3) business days following entry of this Order,  
20 take such steps as are necessary to repatriate to the territory of the United States of America  
21 all documents and assets that are located outside such territory and are held by or for  
22 Defendants or are under Defendants' direct or indirect control, jointly, severally, or  
23 individually;

24        B. Unless previously completed in full compliance with the TRO or May 12,  
25 2015 Preliminary Injunction, within three (3) business days following entry of this Order,  
26 provide Plaintiff with a full accounting of all documents and assets that are located outside  
27 of the territory of the United States of America or that have been transferred to the territory  
28 of the United States of America pursuant to Subsection A above and are held by or for any

1 Defendant or are under any Defendant's direct or indirect control, jointly, severally, or  
2 individually, including the addresses and names of any foreign or domestic financial  
3 institution or other entity holding the documents and assets, along with the account numbers  
4 and balances;

5 C. Hold and retain all such documents and assets and prevent any transfer,  
6 disposition, or dissipation whatsoever of any such documents or assets; and

7 D. Unless previously completed in full compliance with the TRO or May 12,  
8 2015 Preliminary Injunction, within three (3) business days following entry of this Order,  
9 provide Plaintiff access to Defendants' records and documents held by financial institutions  
10 or other entities outside the territory of the United States of America, by signing and  
11 delivering to Plaintiff's counsel the Consent to Release of Financial Records attached to this  
12 Order as Attachment A.

13 **XI. INTERFERENCE WITH REPATRIATION**

14 IT IS FURTHER ORDERED that Defendants are hereby restrained and enjoined  
15 from taking any action, directly or indirectly, which may result in the encumbrance or  
16 dissipation of foreign assets, or in the hindrance of the repatriation required by the preceding  
17 Section X of this Order, including, but not limited to:

18 A. Sending any statement, letter, facsimile, email or wire transmission, or  
19 telephoning or engaging in any other act, directly or indirectly, that results in a determination  
20 by a foreign trustee or other entity that a "duress" event has occurred under the terms of a  
21 foreign trust agreement, until such time that assets have been fully repatriated pursuant to the  
22 preceding Section of this Order; and

23 B. Notifying any trustee, protector or other agent of any foreign trust or other  
24 related entities of either the existence of this Order, or of the fact that repatriation is required  
25 pursuant to a Court order, until such time as assets have been fully repatriated pursuant to  
26 the preceding Section of this Order.

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1 **XII. DISTRIBUTION OF ORDER BY DEFENDANTS**

2 IT IS FURTHER ORDERED that Defendants shall immediately provide a copy of  
3 this Order to each of their corporations, subsidiaries, affiliates, divisions, directors, officers,  
4 agents, partners, successors, assigns, employees, attorneys, agents, representatives, sales  
5 entities, sales persons, telemarketers, independent contractors, and any other persons in  
6 active concert or participation with them. Within five (5) calendar days following entry of  
7 this Order, each Defendant shall file with this Court and serve on Plaintiff, an affidavit  
8 identifying the names, titles, addresses, and telephone numbers of the persons that  
9 Defendants have served with a copy of this Order in compliance with this provision.

10 **XIII. SERVICE OF THIS ORDER**

11 IT IS FURTHER ORDERED that copies of this Order may be distributed by United  
12 States First Class Mail, overnight delivery, facsimile, electronic mail, or personally, by  
13 agents or employees of Plaintiff, by agents or employees of the Receiver, by any law  
14 enforcement agency, or by private process server, upon any person, financial institution, or  
15 other entity that may have possession or control of any property, property right, document, or  
16 asset of any Defendant, or that may be subject to any provision of this Order. Service upon  
17 any branch or office of any financial institution or entity shall effect service upon the entire  
18 financial institution or entity.

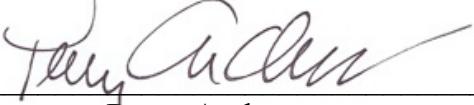
19 **XIV. CONSUMER REPORTING AGENCIES**

20 IT IS FURTHER ORDERED that, pursuant to Section 604 of the Fair Credit  
21 Reporting Act, 15 U.S.C. § 1681b, any consumer reporting agency may furnish a consumer  
22 or credit report concerning any Defendant to Plaintiff.

23 **XV. JURISDICTION**

24 IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for  
25 all purposes.

26 IT IS SO ORDERED, this 25<sup>th</sup> day of November, 2015

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28 \_\_\_\_\_  
Percy Anderson  
UNITED STATES DISTRICT JUDGE

1 **ATTACHMENT A**  
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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,  
Plaintiff,  
v.  
SALE SLASH, LLC, et al.,  
Defendants.

CV 15-3107 PA (AJWx)

CONSENT TO RELEASE FINANCIAL  
INFORMATION

I, \_\_\_\_\_, of \_\_\_\_\_ (city or province and country), do hereby direct any person, bank, savings and loan association, credit union, depository institution, finance company, commercial lending company, payment processor, payment processing entity, common carrier, customs broker, commercial mail receiving agency, mail holding and/or forwarding company, brokerage house, escrow agent, money market or mutual fund, title company, commodity trading company, or trustee, that holds, controls or maintains custody of assets, wherever located, that are owned or controlled by me, or any of the above Defendants, in whole or in part, or at which I, or any of the above Defendants, have an account of any kind upon which I am authorized to draw, and its officers, employees and agents, to disclose all information and deliver copies of all documents of every nature in its possession or control which relate to the said accounts to

1 any attorney for Plaintiffs, and to give evidence relevant thereto, in the above captioned  
2 matter, FTC v. Sale Slash, LLC, et al., now pending in the United States District Court for  
3 the Central District of California, and this shall be irrevocable authority for so doing. This  
4 direction is intended to apply to the laws of countries other than the United States of  
5 America which restrict or prohibit the disclosure of bank or other financial information  
6 without the consent of the holder of the account, and shall be construed as consent with  
7 respect thereto, and the same shall apply to any of the accounts for which I may be the  
8 relevant principal.

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10 Dated: \_\_\_\_\_, 2015

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12 \_\_\_\_\_  
13 [Signature]

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15 \_\_\_\_\_  
16 [Print Name]

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